

U.S. EASES STAND ON SEABED MINING

Kissinger Offers a Plan to
Let Poor Nations Benefit
Through a Joint Body

By LESLEY OELSNER

Special to The New York Times
MONTREAL, Aug. 11—Secretary of State Kissinger today offered the developing nations a compromise United States position on deep-sea mining in an effort to remove a major obstacle in negotiations over a new law of the sea.

The proposal was one of several conciliatory gestures to other nations, mostly to developing or so-called third world nations, in a speech at the meeting here of the American Bar Association.

The compromise would permit mining of the deep seabeds both by individual nations and their companies and by a new international organization that would mine primarily for the benefit of developing nations, with assistance from the more developed. The developing nations have said that only the projected new organization should be permitted to extract the mineral resources that lie beneath the seabeds; the United States, until now, has said that such mining should be done by the individual nations and their citizens.

Mr. Kissinger said that the United States would press for final action on this and other issues when the United Nations Conference on the Law of the Sea resumes in New York next year. He called the conference "one of the most comprehensive and critical negotiations in history" and warned: "The breakdown of the current negotiation, a failure to reach a legal consensus, will lead to unrestrained military and commercial rivalry and mounting political turmoil."

Review of U.S. Policies

The other conciliatory gestures in his speech—a review of United States priorities and policies in international law—

included the following: "The United States is prepared to 'make a major effort' in drawing up 'an agreed statement of basic principles' to guide the actions of multinational companies, and invites 'the participation of all interested parties.'"

"The Administration opposes unilateral action, in the form of bills pending before Congress, to establish a 200-mile fishing zone off United States coasts. It will make some 'interim' arrangements with other countries, Mr. Kissinger said, but it favors a solution worked out at the Law of the Sea Conference.

Recognizing that there should be "full consultation among the nations directly concerned" with certain American space activities, the United States "stands ready to engage in a 'cooperative search for agreed international ground rules for these activities.'"

Specifically, Secretary Kissinger mentioned "earth-sensing satellites" that are used to gather environmental information and broadcasting satellites by which nations may some day be able to relay broadcasts directly into other countries.

Curb on Terrorism Urged

Speaking in the huge Place des Arts hall here before thousands of judges, lawyers and members of their families, Mr. Kissinger reiterated his call for new restraints by the United Nations to combat terrorism, such as sanctions against nations that harbor aircraft hijackers and terrorists. Earlier proposals on this subject have not had much effect because they have been viewed primarily as anti-Arab.

Mr. Kissinger also described United States goals for reform of the law of war, particularly "greater protection" for civilians and for prisoners of war, the missing in action and the wounded, and "application of international standards of humane conduct in civil wars."

Though Mr. Kissinger's proposal on deep-sea mining represented a compromise, the United States was offering a plan that still gives it what it wants: the right of its companies to mine the seas.

The law of the Sea Conference, which opened in Caracas, Venezuela, in 1974, and continued in Geneva this year, had its origin in a United States mandate in 1970. It involves many aspects of regulating the oceans, from ecology to questions of territorial waters. Two especially controversial aspects have been deep-sea mining and fishing rights.

'Common Heritage of Man'

The 1970 resolution specified that the resources in the deep seas were the "common heritage of mankind." According to Richard T. Scully of the State Department office dealing with the sea law negotiations, all sides contemplated the formation of some kind of international organization to assume responsibility.

However, the developing nations have contended that the phrase used in the United Nations resolution meant that such an organization should do the mining for the benefit of the various nations. The United States contended that "common heritage" referred to the benefits of the seas, that all peoples should have access to seabed mining and that the organization should be set up to ensure standards and to funnel funds from companies' profits to the

The Sea-Law Deadlock

It's anyone's guess whether the 144 governments participating in the long-running, peripatetic United Nations Law of the Sea Conference will eventually lash together a global treaty regulating the use and exploitation of the seas acceptable to the world at large. But a draft charter was produced at the Conference's last session, held this year in Geneva. It remains to be seen whether Secretary of State Kissinger has devised a formula that will assure the Conference's success.

A major impediment—though not the only one—to an international-sea-law agreement is the insistence of Third World countries upon creation of an international seabed authority empowered to determine who should mine the oceans' riches and where. Washington has been among the most adamant objectors to any such scheme.

But Mr. Kissinger suggested a compromise of the issue in his address to the American Bar Association meeting in Montreal. He urged that a world organization be set up to allot mining rights and collect royalties for deep-sea areas outside national jurisdictions, as

well as conduct mining operations on its own, using the profits and its royalties to aid development of poor countries. Mr. Kissinger made it clear, however, that the United States would demand that industrialized nations have a strong voice in mining policy and that private and state corporations be guaranteed a principal part in exploiting ocean mineral resources.

Moreover, he said, the compromise would be acceptable to the Ford Administration only as an element in an overall treaty fixing the territorial-waters limit at 12 miles and establishing a 200-mile "economic zone" in which coastal states would control fishing and mineral resources, but freedom of navigation would be vouchsafed.

Mr. Kissinger was undoubtedly correct when he warned that "unrestrained military and commercial rivalry and mounting political turmoil" would be the price of failure to achieve a "legal consensus" on the seas. The sea overflows with wealth and powerful industrial entities are itching to get at it. The Third World has repeatedly offered it would be foolish to refuse.

State Hospitals in Connecticut Face Protest by Doctors

HARTFORD, Aug. 26 (AP)—Doctors, including psychiatrists, at four state mental hospitals began cutting back their work week today, refusing to work more than 35 hours and giving priority to medical rather than administrative duties.

The action followed rejection of the physicians yesterday of a \$4,500 annual raise.

Fifty-two psychiatrists and other doctors at the four institutions are demanding raises of \$8,000 to \$10,000 annually. Mental Health Commissioner Ernest Shepherd said 47 resident psychiatrists who were ill in training were not affected by the job action because their training required longer hours.

If the job action continues for a period of time, it's going to be difficult for 35 hours a week to meet necessary medical coverage," Commissioner Shepherd said. "After a period of time people would have to stay longer. Treatment will have to be limited or dropped."

Gov. Ella T. Grasso said at a news conference today that our concern is that the work goes on" at the hospitals.

She said \$4,500 a year seems to be a pretty good figure" and the administration might implement it even if the doctors did not agree.

If that happens, doctors will begin to work 45 hours a week and would get the raise. Those holding to 35 hours, the standard work week for state employees, would not.

Commissioner Shepherd said doctors worked an average of 55 hours a week in mental institutions but many spend up to 70 hours on the job.

Strong Quake in Chile

SANTIAGO, Chile, Aug. 26 (UPI) — A strong earthquake shook northern Chile and southern Peru late yesterday, the police reported today. No injuries or damage were reported.

News Summary and Index

WEDNESDAY, AUGUST 27, 1975

The Major Events of the Day

International

The United States seems destined to emerge from negotiations for an Egyptian-Israeli accord as the major outside power in the Middle East and deeply involved in the affairs of the area, in the view of Arab, Israeli and American officials. Some of Secretary of State Kissinger's aides are wondering if the United States may not be getting too involved. Most officials feel the process has been started and will be difficult to stop. [Page 1, Columns 2-3.]

Secretary of State Kissinger is expected to take a more conciliatory stand toward demands from the developing nations for a greater share of the world's wealth when he addresses the United Nations General Assembly at a special session next week. The draft of his speech is said to include concrete proposals for a world food reserve system, more credits and lowered tariffs to promote industrialization, aid to increase farm output, financing of trade deficits and new international facilities to guide such activities. [1:1.]

Talks at Victoria Falls between Rhodesia's white-minority Government and black nationalist leaders broke down with each side blaming the other. The latest attempt to negotiate a step toward majority rule failed despite major efforts by Prime Minister John Vorster of South Africa and President Kenneth D. Kaunda of Zambia to keep the two sides talking. [1:1.]

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over the longshoremen's boycott against grain shipments to the Soviet Union. As Mr. Meany left the White House he said the unions had received additional information but that the situation had not changed. Discussions, he said, would continue. [1:1.]

The obstetrics and gynecology advisor committee of the Food and Drug Administration has recommended that women over 40 be urged to discontinue using birth control pills because for that age group the risk of death from heart attack is four times as great as for nonusers. An F.D.A. bulletin mailed to physicians recommended the shift to alternate birth control methods on the basis of two British studies. [1:2-3.]

The Postal Rate Commission has overruled the recommendation of an administrative law judge that first-class rates be lowered. Instead, it opened the way to raise letter rates to 13 cents from 10 cents, according to informed Administration sources. [1:6-7.]

Metropolitan

Governor Carey moved to set up a state board of overseers for the city's fiscal affairs and to appropriate \$1-billion of state funds to help the city avert default. The board would receive the entire \$7-billion to \$8-billion in revenues to the city from tax and state and Federal aid that it now gets directly, and would insure that revenues

Wall St Journal
8 Dec 1975

The 200 Mile Limit

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Committee recently approved a bill that will prohibit fishing by foreign fleets within 200 miles of the coasts of the U.S., and approval by the full Senate is expected shortly. One measure of its popularity can be seen in the 2-to-1 margin by which the House passed a similar bill last month.

There is the usual mixture of political expediency and economic advantage behind the congressional enthusiasm; some arguments are on a par with those warnings a few years ago that foreign "sweat shops" were destroying the American textile industry. And there is an element of national muscle flexing in inferences that we should pass the bill and leave it to the Coast Guard, or Navy if need be, to deal with any foreign fleets foolish enough to transgress.

Congressmen who favor the bill generally seem convinced that it is necessary for protecting the U.S. fishing industry and for preventing the depletion of dwindling fish stocks. Nevertheless, there are better ways to accomplish these desirable ends.

The State Department, which is lobbying against the extension, is concerned by the fact that 15 nations already have claimed a 200-mile limit. For the U.S. to do so, it feels, would invite a stampede of other nations to follow suit. And it could lead some to claim not just fishing rights but sovereignty far out into the oceans. Mexico, for example, claimed territorial jurisdiction up to 200 miles shortly after the

tober.

Adm. James Holloway, Chief of Naval Operations, testified that the proposed bill might result in U.S. warships and possibly merchant ships being denied access to the Mediterranean and other important waterways.

Congress is unimpressed with assurances that the Law of the Sea Conference is almost certain soon to include a 200-mile economic zone treaty with the kinds of protection it wants. And proponents of the bills are probably right that such a treaty is more a hope than a certainty. But the most reasonable and effective safeguards, in our view, can be assured through bilateral agreements between interested nations. The State Department ignored the problem of fish depletion for much too long, but current bilateral agreements with Russia, Japan and other nations seem adequate to protect principal fish stocks. If not, they should be renegotiated so that they do provide adequate protection.

Legal scholars are agreed that such unilateral action being planned by Congress would violate international law. And since international law has taken such a drubbing in recent years, we don't wonder that Congress does not feel any overriding urge to genuflect before it. Yet it is important for the U.S. to avoid being a party to any such violations, in part as an example to those who do mock it, but more importantly in order to keep faith with its own values and aspirations.

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